

## **REMARKS/ARGUMENTS**

### **1.) Claim Amendments**

In order to expedite prosecution, the Applicants have amended claims 12 and 15 to include the limitations of claims 13 and 17, respectively, which have been cancelled. **No new subject matter has been added to the claims.** Claims 12, 14-16 and 18-22 remain pending.

### **2.) Claim Rejections – 35 U.S.C. §102(b)**

The Examiner rejected claims 12-18, 20 and 21 as being anticipated by Wallinder, *et al.* (WO 01/91374). Claims 12 and 15 have been amended to include the subject matter of claims 13 and 17, respectively. Therefore, the Applicants will address the Examiner's rejection of claims 12 and 15 in view of the stated reasons for rejection of claims 13 and 17. The Applicants traverse the rejections.

Claim 12 recites:

12. A method for monitoring media flow in a telecommunication network having a control domain for handling session control and a bearer domain for handling media flow, comprising the steps of:

storing, in a database in the control domain, identification of a first subscriber for which monitoring is desired;

setting up a connection between the first subscriber and a second subscriber, including the step of sending an indicator from the control domain to the bearer domain indicating that the media flow that involves the first subscriber is to be monitored;

re-routing a media flow between the subscribers via a server function in the bearer domain, the server function at a fixed location that is independent from a change of location of the subscribers involved in the media flow; and,

monitoring the media flow that passes the server function at the fixed location. (emphasis added)

First, it is noted that Wallinder is commonly owned by the Assignee of the present application, and that Wallinder is a common inventor for both the cited prior art and the present application. In rejecting claim 12, as amended to also include the subject matter of claim 13, the Examiner does not note any teaching in Wallinder of the claimed

functions/signaling being variously performed in either a control domain or a bearer domain. In particular, it is noted that the Examiner points to page 15, lines 21-25 of Wallinder as teaching "sending an indicator *from the control domain to the bearer domain* indicating that the media flow that involves the first subscriber is to be monitored." (emphasis added) The undersigned has reviewed the referenced portion of Wallinder, however, and finds no such teaching; *i.e.*, there is no teaching in Wallinder of sending an indicator from the control domain to the bearer domain to indicate that a media flow that involves a subscriber is to be monitored.

In addition, the Examiner points to teachings in Wallinder to "duplicate" intercepted content information (CI) and transmit the duplicated CI to a monitoring means. In contrast to duplicating and transmitting a copy of intercepted speech or data to a monitoring means, claim 12 recites "re-routing" a media flow via a server function in the bearer domain, and then monitoring the re-routed media flow that passes the server function. Therefore, Wallinder does not anticipate claim 12 as amended to include the subject matter of claim 13. Similarly, claim 15, which has been amended to include the subject matter of claim 17, and claim 20 include identical claim limitations and, therefore, are not anticipated by Wallinder. Furthermore, whereas claim 14 is dependent from claim 12, claims 16 and 19 are dependent from claim 15, and claim 21 is dependent from claim 20, and include the limitations of their respective base claims, those claims are also not anticipated by Wallinder.

### **3.) Claim Rejections – 35 U.S.C. §103(a)**

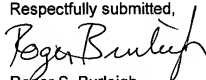
The Examiner rejected claims 19 and 22 as being unpatentable over Wallinder in view of Baum, *et al.* (U.S. Patent Publication No. 2003/0200311). As established *supra*, claims 15 and 20 are not anticipated by Wallinder. Furthermore, the Examiner has not pointed to any teaching in Wallinder, or Baum, that would render those claims obvious. Therefore, claims 15 and 20 are patentable over Wallinder in view of Baum. Whereas claims 19 and 22 are dependent from claims 15 and 20, respectively, and include the limitations thereof, they are also not obvious over those references.

**CONCLUSION**

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 12, 14-16 and 18-22.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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